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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,698	12/08/2003	Jason D. Hanzlik	10395US01	3984

7590

10/19/2005

Imation Corp.
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EXAMINER

HAUGLAND, SCOTT J

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/730,698	Applicant(s) HANZLIK ET AL.	
	Examiner Scott Haugland	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/11/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 10, 12-15, 17, 19-23, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Morita et al (U.S. Pat. Appl. Pub. No. 2002/0158161).

Morita et al discloses a tape reel assembly for a data storage tape cartridge comprising: a hub 21 defining a tape winding surface and teeth (on gear 42; teeth 63) formed from a polymer including a lubricating additive (par. 119, p. 5).

The teeth of restraining member 4 are seen to be driven teeth since they are driven upwardly (e.g., in Figs. 2 and 3) when drive means 11 engages the tape reel assembly, they would be driven by the reel when the cartridge is moved due to inherent play in the connection between protrusion 33 and groove 45 in the restraining member 4, and they are capable of being driven in rotation about the central axis of the restraining member 4 when it is appropriately mounted.

The teeth 63 of the releasing member 6 are driven upwardly when drive means 11 engages the tape reel assembly and are driven to rotate by the drive means 11 during normal recording/reproducing operation of the tape reel assembly.

With regard to claim 3, 12, and 22 Morita discloses flanges 41, 61 which extend radially (inwardly) from hub 21.

With regard to claims 4 and 13, the hub is seen to include elements 21, 2, 4, and 6.

With regard to claims 5, 14, and 23, Morita et al discloses that the lubricating additive is polytetrafluoroethylene, silicone, etc. (par. 119, p. 5).

With regard to claims 6 and 15, Morita et al discloses that the polymer is glass-filled polycarbonate (par. 119, p. 5).

With regard to claim 10, note that Morita et al discloses a housing 3 forming an enclosed region containing the tape reel assembly.

With regard to claims 19, 20, and 21, each of elements 4 and 6 are seen to read on the recited hub having flange portion 41 or 61.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 7-9, 11, 16, 18, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita et al (U.S. Pat. Appl. Pub. No. 2002/0158161) in view of Boutni (U.S. Pat. No. 4,749,738).

Morita et al is described above.

Morita et al does not disclose a polymer including up to 25%, 2-10%, or 5% by weight of lubricating additive. Morita et al does not disclose polycarbonate that is 20% glass-filled and containing approximately 5% by weight of polytetrafluoroethylene.

Boutni teaches forming machine elements including gears of a compound comprising polycarbonate, 20% glass fiber, and 5% polytetrafluoroethylene (see example 9, col. 10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the teeth of the reel assembly of Morita et al of a polymer having 5% polytetrafluoroethylene lubricant as taught by Boutni to provide the teeth with good strength and wear resistance.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schoettle et al (U.S. Pat. No. 6,745,968), Ikebe et al (U.S. Pat. No. 5,860,611), and Morita et al (U.S. Pat. Appl. Pub. No. 2002/0085312) are cited to further show tape cartridge elements formed of glass fiber reinforced polycarbonate and formed of lubricant-containing resin. Momoi et al (U.S. Pat. Appl. Pub. No. 2002/0175239) is cited to show a tape reel assembly.

Art Unit: 3654

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sjh
sjh

10/13/05

Kathy Matecki

KATHY MATECKI
SUPERVISORY PATENT EXAMINER
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